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EXAMINER

KIANERSI, MITRA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/628,306	Applicant(s) NAKAMURA ET AL.	
	Examiner MITRA KIANERSI	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03312008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-26,28,30,33,35,37 and 44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-26,28,30,33,35,37 and 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07202003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. Japan P2002-219988.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/22/2007-07/29/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed 03/13/2008 have been fully considered but they are not persuasive.

Paragraph [A]: Regarding claims 23 and 30, applicant on page 11, line 3-16 argues that Minari do not teach or suggest storing print object data in the server, storing the control information in the server and requesting the stored print object data and control information by the print system.

Examiners' reply: Minari's print control system overcomes the applicant' invention in which discloses a print control system in which an information processor is connected to a plurality of printers, a print job that includes a plurality of instructions and print data associated with the plurality of instructions are received from a network. The received print data is stored, and the stored print data is read in accordance with the plurality of instructions. A printing device is controlled to output an image based on the read print data, in accordance with the plurality of instructions. Minari in col 2, lines 64-67 and col 3, lines 1-14 discloses a wave server is mounted on a communication portion of the printer so that the printer communicates with a host computer by HTTP. This communication portion controls interface operations between the device and the network 109. Further, a wave client is mounted on the communication portion of the host computer. Thus, the wave server and the wave client process a transfer of a print job object between the host computer and the printer. In FIG. 1, as shown by an arrow A, a print job object 110 is first transferred from the host computer 101 to the print controller 103 of the printer 107. Then, in the case where print processing based on the print job object is not suitable for the printer 107, or in the case where an obstacle occurs during the print processing, as shown by an arrow B, the print job object 110 is transferred from the printer 107 to the printer 108. Consequently, in the printer 108, the print processing based on the print job object 110 is continued.

Because the arguments with respect to the allowableness of independent claims were found unpersuasive, these same arguments are not persuasive with respect to the other dependent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 23-26, 28, 30, 33, 35, 37, 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Minari. (US Patent No: US 6,809,831).

Claim 23: A print control method using a server and at least one print system that can communicate with each other through a network, (in Minari's invention, a print control system in which an information processor is connected to a plurality of printers, a print job that includes a plurality of instructions and print data associated with the plurality of instructions are received from a network), the print control method comprising: - storing print object data in the server; the received print data is stored, and the stored print data is read in accordance with the plurality of instructions. Abstract)

-receiving by the server, print setup information of the print object data and an electronic mail address for a user of the print system; (a print job that includes a plurality of instructions and print data associated with the plurality of instructions are received from a network. Abstract)

-storing, the control information in the server: (the recording medium that stored that program code and the server apparatus that sent the program code comprise the present invention. Col 9, lines 35-40)

-generating, screen information for transmitting a print information request which requests the print object data and the control information, which are stored in the server;

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(application receives a print request from the user, the print job object is generated by the print job generator, and next it the generated print job object is sent to the printer by the print job transmitter. (Col 5, lines 28-32)

-notifying to the user of the print system by sending an electronic mail to the electronic mail address, a predetermined address for transmitting a screen transmission request which requests the screen information; (col 4, lines 34-40)

-accessing the predetermined address in order to transmit the screen transmission request; (The URL address is converted into an internet address by a service such as a domain name system (DNS). In the case where URL is not used, a name assigned to the printer is converted into an internet address by a service such as DNS. Col 2, lines 54-63)

-transmitting the screen information to the print system in response to the screen transmission request: (A print job transmitter 205 transmits the print job object generated by the print job generator onto a network via a communication interface 206. The communication interface 206 controls interface operations between the printer and the network. Col 3, lines 24-32)

-transmitting the print information request to the server, transmitting the print object data and the control information to the print system, printing the print object data using the control information, (In FIG. 1, as shown by an arrow A, a print job object 110 is first Transferred from the host computer 101 to the print controller 103 of the printer 107. Then, in the case where print processing based on the print job object is not suitable for the printer 107, or in the case where an obstacle occurs during the print processing, as shown by an arrow B, the print job object 110 is transferred from the printer 107 to the printer 108. Consequently, in the printer 108, the print processing based on the print job object 110 is continued. Col 3, lines 6-15) and (Print job attribute section 502 that stores the print job attributes displayed on the set screen shown in FIG. 2 or set on the set screens and other print job attributes and a print data section 503 that stores print data output by the output units 105 and 106 based on the attributes. (Col 4, lines 16-27)

Claim 24: The print control method further comprising:

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-a distributor terminal which can communicate with the server through the network transmits the print setup information to the server, (the wave server and the wave client process a transfer of a print job object between the host computer and the printer. Col 2, lines 64-67 and col 3, lines 1-14) and (a print job receiver 207 receives the print job object from the network via the communication interface 206. col 3, lines 30-32)

Claim 25: The print control method further comprising:

-the print information request is transmitted by using the screen information. (FIG. 3 is one example of a set screen of a print job displayed on the display 208. A print job attribute of the print job object is displayed on this set screen. Further, the user can set the print job attribute of the print job object on this set screen. Col 3, lines 35-40) and (The job name of the print job "Job 1" is displayed and set in the job name display 300. The name of the printer "Printer 1" and the URL address of the printer are displayed and set in the printer name display 301. The document name that the user produces with an application program and wishes to print "Document A" is displayed and set in the document name display 302. Col 3, lines 41-46)

Claim 26: The print control method wherein the screen information represents an outline of the print object data is transmitted to the print system. (FIG. 3 is one example of a set screen of a print job displayed on the display 208. A print job attribute of the print job object is displayed on this set screen. Further, the user can set the print job attribute of the print job object on this set screen. Col 3, lines 35-40) and (the priority of a print job is displayed and set in the priority display 303. In FIG. 3, "Average" is set as the priority of the print job. The number of pages to be printed is displayed and set in the pages-to-print display 304. In FIG. 3, "All" pages are set to be printed. The number of copies to be printed is displayed and set in the copies display 305. Col 3, lines 47-54)

Claim 28: The print control method wherein, the screen information represents at least a part of the print setup information. (the print job object 10 comprises a print job program section 501 that stores a print job processing program executed by the print job executor 403, a print job attribute section 502 that stores the print job attributes displayed on the set screen shown in FIG. 2 or set on the set screens and other print job attributes and the

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origin of print job issue, type of print job request, paper size, black and white or color print), and a print data section 503 that stores print data output by the output units 105 and 106 based on the attributes. Col 4, lines 15-27) and (The priority of a print job is displayed and set in the priority display 303. In FIG. 3, "Average" is set as the priority of the print job. The number of pages to be printed is displayed and set in the pages-to-print display 304. In FIG. 3, "All" pages are set to be printed. The number of copies to be printed is displayed and set in the copies display 305. Col 3, lines 47-54)

Claims 30 and 37 teach the same limitation as independent claim 23 and are rejected by the same rational.

Claim 33: teach the same limitation as claim 26 and is rejected by the same rational

Claim 35: teach the same limitation as claim 28 and is rejected by the same rational.

Claim 44: A printing system control method comprising:

transmitting a request for a setup hypertext markup language (HTML) file from a distributor terminal to a print control server; (In the network of WWW, it is presumed that a hypertext transfer protocol (HTTP) which is a standard protocol is used in communication between the host computer and the printer. Therefore, in the network of WWW, the identification of printers is carried out by a uniform resource locator (URL) address. The URL address is converted into an internet address by a service such as a domain name system (DNS). In the case where URL is not used, a name assigned to the printer is converted into an internet address by a service such as DNS. Col 2, lines 54-67 and col 3, lines 1-5)

transmitting the setup HTML file from the print control server to the distributor terminal; transmitting print setup information and an electronic mail address from the distributor terminal to the print control server; (In the network of WWW, it is presumed that a hypertext transfer protocol (HTTP) which is a standard protocol is used in communication between the host computer and the printer. Therefore, in the network of WWW, the identification of printers is carried out by a uniform resource locator (URL) address. The URL address is converted into an internet address by a service such as a domain name system (DNS). In the case where URL is not used, a name assigned to the

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printer is converted into an internet address by a service such as DNS. Col 2, lines 54-67 and col 3, lines 1-5)

storing the electronic mail address at the print control server; (FIG. 2 is a block diagram showing a functional configuration of the host computers 101, 102. In a memory 201, an operating system OS, a control program, a control data, an application program, etc. are stored. A controller 202 controls the under mentioned portions on the basis of programs, data, etc. stored in the memory 201. Incidentally, an application 203 utilized by a user is executed by the controller 202. Col 2, lines 64-67 and col 3, lines 1-30)

generating control information and a browsing HTML file at the print control server, wherein the browsing HTML file is for displaying image data which is associated with the print setup information; (application receives a print request from the user, the print job object is generated by the print job generator, and next it the generated print job object is sent to the printer by the print job transmitter. (Col 5, lines 28-32)

transmitting a uniform resource locator of the generated browsing HTML file to the electronic mail address; (the job name of the print job "Job 1" is displayed and set in the job name display 300. The name of the printer "Printer 1" and the URL address of the printer are displayed and set in the printer name display 301. Col 3, lines 40-46)

transmitting a request for the browsing HTML file from a print system to the print control server; (application receives a print request from the user, the print job object is generated by the print job generator, and next it the generated print job object is sent to the printer by the print job transmitter. (Col 5, lines 28-32)

transmitting the browsing HTML file from the print control server to the print system; browsing the browsing HTML file at the print system; (In the network of WWW, it is presumed that a hypertext transfer protocol (HTTP) which is a standard protocol is used in communication between the host computer and the printer. Therefore, in the network of WWW, the identification of printers is carried out by a uniform resource locator (URL) address. The URL address is converted into an internet address by a service such as a domain name system (DNS). In the case where URL is not used, a name assigned to the printer is converted into an internet address by a service such as DNS. Col 2, lines 54-67 and col 3, lines 1-5)

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determining whether an instruction to print has been received at the print system; it judges whether or not the printer successfully received the print job object. If the printer successfully received the print job object, then it informs the application program 203 that the print job was successfully transmitted to the printer. Col 5, lines 33-38)

wherein if an instruction to print has been received, then an operation is performed, the operation comprising:

transmitting a request for print information, including the generated control information, from the print system to the print control server; transmitting the control information and the image data from the print control server to the print system; and executing a printing operation at the print system. (In FIG. 1, as shown by an arrow A, a print job object 110 is first Transferred from the host computer 101 to the print controller 103 of the printer 107. Then, in the case where print processing based on the print job object is not suitable for the printer 107, or in the case where an obstacle occurs during the print processing, as shown by an arrow B, the print job object 110 is transferred from the printer 107 to the printer 108. Consequently, in the printer 108, the print processing based on the print job object 110 is continued. Col 3, lines 6-15) and (Print job attribute section 502 that stores the print job attributes displayed on the set screen shown in FIG. 2 or set on the set screens and other print job attributes and a print data section 503 that stores print data output by the output units 105 and 106 based on the attributes. (Col 4, lines 16-27)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cordone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145